

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

MOHAN A HARIHAR,)
)
)
Plaintiff)
) Docket No. 20-cv-12293
v.)
)
JEANNE D'ARC CREDIT UNION, et al)
)
Defendants)

**PLAINTIFF RESPONSE TO [ECF NO. 25] – ISSUED WITHOUT JURISDICTION AND
FORMAL REPORT DELIVERED TO: (1) CHIEF JUDGE – F. DENNIS SAYLOR; (2)
GOVERNOR CHARLIE BAKER (R-MA); AND (3) PRESIDENT JOE BIDEN**

The Plaintiff, **Mohan A. Harihar** - a *pro se* litigant with no legal experience, respectfully prefaces this RESPONSE to inform the Court that **[ECF No. 25]** – is a judicial order that is considered **entirely void** since it has been issued without jurisdiction. As a matter of record, the Plaintiff has evidenced multiple judicial violations that show the presiding US District Court Judge – **Hon. Indira Talwani** is clearly disqualified from ruling further on this, or any related case. However, instead of recusing herself, Judge Talwani has either: **(1)** Made false and/or deceptive statements about the Plaintiff's evidenced claims; or **(2)** Brushed these evidenced claims aside entirely, as if never mentioned - in order to arrive at a corrupt and pre-determined outcome. The patterns of corrupt conduct evidenced here are consistent with the judicial failures associated with the Plaintiff's other three (3) Federal complaints which remain ongoing in this US District Court¹ – and collectively, has led to an unprecedented **ELEVEN (11)** recusals of

¹ The Plaintiff's other three (3) related Federal complaints include: **(1) HARIHAR v US BANK et al**, Docket No. 15-cv-11880; **(2) HARIHAR v THE UNITED STATES**, Docket No. 17-cv-11109; and **(3) HARIHAR v**

record.² A partial summary (overview) of the evidenced claims impacting Judge Talwani's loss of jurisdiction in this case includes (but is not limited to) the following:

1. **False Statements Regarding Undisclosed Conflicts of Interest** – In [ECF No. 24], the Plaintiff evidenced undisclosed Conflicts of Interest that were recently discovered between Judge Talwani and Bank Defendants in the related Civil complaint – ***HARIHAR v US BANK et al.*** Financial Disclosures show that Judge Talwani has owned stock with Bank Defendants - **WELLS FARGO** and/or **US BANK** since 2014. Upon review of [ECF No. 25], Judge Talwani does not deny owning stock with the referenced Defendants and fails recognize that all orders and judgements associated with - *HARIHAR v US BANK et al, Docket No. 15-cv-11880*, have been impacted by recusal and are considered entirely void. By ignoring the recusal and its legal impact, Judge Talwani's statements of record show that she is purposefully trying to deceive this Court. Any suggestion that the Plaintiff has not (at minimum) evidenced an undisclosed Conflict(s) of Interest is **factually false**. At minimum, the judge's undisclosed Conflict of Interest violates **18 U.S. CODE § 208** and her deceptive statements are perceived as violations to **Fed. R. Civ. P. 60(b)(3) – Judicial Fraud on the Court**, which in itself shows cause for immediate disqualification. Under Rule 60, all Judicial Immunity is considered **waived**, when Fraud on the Court has been evidenced, as is the case here.

Based on the Plaintiff's interpretation of the law, the undisclosed Conflicts of Interest show that **the judge never had jurisdiction to rule on this docket** – All orders,

HOWARD et al, Docket No. 18-cv-11134. In all three cases, litigants are still waiting for the Court to re-establish jurisdiction, after voiding/vacating all orders/judgements related to disqualification and/or recusal.

² The referenced recusals do not take into account disqualified judicial officers who have refused to recuse, despite evidenced judicial misconduct claims of record.

including the disqualified Judge's efforts to dismiss the Plaintiff's complaint, are entirely void. Therefore, there has been no ***"Tolling of Time"*** and no violation to Local Rule 4.1.

EVEN IF there was a tolling of time (which there is not) – and **IF** jurisdiction was not already an issue (which it clearly is), additional judicial failures (at minimum) include the following:

- a. Refusing to assist the Plaintiff with the Appointment of Legal Counsel under **28 U.S. Code § 1915**, where clearly, the Plaintiff has already demonstrated for the record that he has satisfied **all** requirements warranting the Court's assistance, **including the four-factor test**.
Considering the complexity and totality of legal issues – both here and in the related dockets, refusing to assist the Plaintiff with the assistance of counsel shows the Judge's intention to tilt the scales of justice heavily in favor of the Defendants.
- b. As a matter of record, the Plaintiff filed a request to STAY proceedings until the Court initiated corrective action pertaining to evidenced Judicial Treason, Criminal RICO violations involving Clerks of the Court, Mail Fraud and jurisdiction issues in the related cases. Judge Talwani has ignored these evidenced claims entirely, **as if never mentioned**.
- c. The referenced violations to Local Rule 4.1 are both irrelevant and improperly stated, since: (1) It's been evidenced that Judge Talwani has no jurisdiction in this case and therefore, there's been no tolling of time; and (2) the unresolved judicial, clerk & jurisdiction issues – at minimum, clearly warrants a stay of proceedings until resolved.

2. **Color of Law violations/Criminal Complaints** – The Court is respectfully reminded that Based on the Plaintiff's interpretation of the law - Color of Law violations are considered to be evidenced both here and in the related civil complaint under **18 U.S.C. §242; 18 U.S.C. §245; 42 U.S.C. §1983. Completed COL Forms filed against both Judge Talwani and recused US District Court Judge – Hon. Allison Dale Burroughs are part of the record, as are formal criminal complaints filed with the FBI/DOJ.**
3. **Judicial Treason Violations** – As required under ARTICLE III and 18 U.S. CODE § 2381, this criminal Treason violation has been formally reported (via email communication) directly to: **(1) The Governor of Massachusetts - Hon. Charlie Baker (R-MA); (2) US District Court Chief Judge - Hon. F. Dennis Saylor; and (3) The President of the United States - Joe Biden (separately via www.whitehouse.gov).** The US Department of Justice (DOJ) and Congressional leaders have been necessarily updated as the severity of evidenced criminal violations warrant removal from the Bench. A copy of the referenced legal communications are attached as reference, along with received communication from The White House **(See Attachment A).**

These egregious and clearly criminal abuses of judicial power cannot be allowed to continue any further without accountability. **I am an American-born Citizen who loves his Country and the Commonwealth of Massachusetts. HOWEVER,** based on my interpretation of the law, these judicial failures that continue to be evidenced are an absolute disgrace - severely damaging the integrity of the judicial branch of government. **NO AMERICAN** should **EVER** have to endure such abuses of power - nor

should they **EVER** be forced to represent themselves, considering the complexity, severity & totality of these evidenced legal issues.

Finally, the Plaintiff re-states that he is an American-born Citizen whose Father: **(1)** respectfully came to these United States from India; **(2)** received a PHD in Nuclear Physics from Columbia University; **(3)** became a US Citizen by **following Federal laws** pertaining to US Citizenship; and **(4)** had a successful 43-year career as a Professor at the University of Massachusetts (Lowell). I would be remiss if I did not say that as an Indian-American – it is beyond disappointing when evidenced criminal claims irrefutably show that Judge Talwani – also an Indian American, has evidenced the same patterns of corruption as the other identified recused/disqualified judicial officers of record. These evidenced judicial failures are a stain on a well-respected Indian-American Community. It remains my sincere hope that this Court will finally address these egregious abuses of judicial power and initiate corrective action. Thank you for your attention to this very serious and sensitive legal matter.

Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this Plaintiff Response: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for

further investigation or discovery; and (4) the Notice otherwise complies with the requirements of Rule 11.

Respectfully submitted this 9th Day of November, 2021.

Mohan A. Harihar

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